

**REMARKS**

Claims 1 - 8 are in this Application. No new matter has been added. In the Office Action mailed on July 27, 2001, the Examiner rejected claim 1 pursuant to 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,481,611, filed December 9, 1993, and issued to Owens (Owens) or by U.S. Patent No. 4,484,027, filed November 19, 1981, and issued to Lee et al. (Lee). The Examiner rejected claim 5 pursuant to 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,963,141, filed May 9, 1997, and issued to Takamatsu (Takamatsu). The Examiner rejected claims 2-4 and 6-8 pursuant to 35 U.S.C. §103(a) as being anticipated by Owens or Lee in view of U.S. Patent No. 6,070,058, filed 11/10/2001, and issued to Waldroup et al. (Waldroup). Applicant respectfully traverses the Examiner's rejections.

35 U.S.C. §102(b): Owens or Lee

The Examiner rejected independent claim 1 pursuant to 35 U.S.C. § 102(b) as being anticipated by Owens or Lee.

Claim 1, a method for generating random data bits in a wireless communications device, includes the features of processing a received signal and extracting random data bits from the processed receive signal. These features are neither taught nor suggested by Owens. Owens teaches a method of authenticating a user attempting to access a host facility from a remote subscriber site. Owens' method provides for generating a challenge code at the host comprised of a random digital sequence. However, Owens teaches away from Applicant's claim 1 by generating the random digital sequence at the host, rather than at a receiver by extracting random data bits from characteristics of the received signal. Owens teaches a host facility comprising a signal generation means for generating a random digital code encryption means coupled to the signal generation means for encrypting a digital code using a host encryption key. (See col. 2, lines 22-27.) The random digital sequence is generated

once for each authentication process performed by the entity authentication device of Owens. Owens does not teach a method for generating the random digital sequence used, but merely illustrates a random number generator (element 21 of FIG. 2) to generate an 8 byte random digital code. The 8 bytes generated once per authentication at a host teaches away from applicant's claimed invention, which generates an unlimited number of random data bits at receiver from the received signal itself for the total duration of a call. Owens does not teach processing a received signal. Owens does not teach extracting random data bits from the processed receive signal.

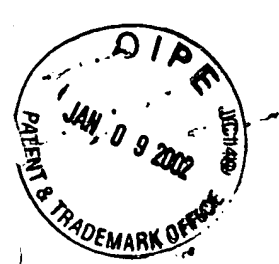
Similarly to Owens, Lee does not teach a method for generating the random used, but merely illustrates a random number generator element of a transmitter rather than a receiver. (See element 20.) Also similar to Owens, Lee does not teach processing a received signal. Neither does Lee teach extracting random data bits from the processed receive signal.

The limitations of Applicant's independent claim 1 are not found in Owens or Lee. Therefore, Applicant respectfully submits that claim 1 constitutes patentable subject matter over the prior art.

35 U.S.C. §102(b): Takumatsu

The Examiner rejected independent claim 5, pursuant to 35 U.S.C. § 102(e) as being anticipated by Takamatsu.

The encryption system of Claim 5 includes the features of a random number selector subsystem for generating random numbers from data bits generated from existing wireless phone hardware, and an encryptor for encrypting a signal using said random numbers. Takumatsu teaches an identification signal checking method and apparatus for keyless entry systems. Keyless entry systems do not employ existing wireless phone hardware. The 24-bit random number of Takumatsu (FIG. 2) is not generated from existing wireless phone hardware.



The limitations of Applicant's independent claim 5 are not found in Takumatsu. Therefore, Applicant respectfully submits that claim 5 constitutes patentable subject matter over the prior art.

35 U.S.C. §103(a): Owens or Lee in view of Waldroup

The Examiner rejected claims 2-4, and 6-8 pursuant to 35 U.S.C. §103(a) as being anticipated by Owens or Lee in view of Waldroup. In view of the arguments detailed above with respect to independent claims 1 and 5, Applicant submits that dependent claims 2-4 and 6-8 constitute patentable subject matter in view of the cited reference.

**REQUEST FOR ALLOWANCE**

In view of the foregoing, Applicants submit that all pending claims in the application are patentable. Accordingly, reconsideration and allowance of this application is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

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